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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,365	06/17/2000	ERIC J. HORVITZ	1018.101US1	1982
27195	7590	08/07/2006	EXAMINER	
AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			DONAGHUE, LARRY D	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. .

09/596,365

Applicant(s)

HORVITZ ET AL.

Examiner

Larry D. Donaghue

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-22 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-28 is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-22 and 24-26 and 29-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>attached</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-15 , 17-22 and 24-30 are presented for examination.
2. Claims 24-27 are allowed.
3. The indicated allowability of claims 1-15, 17-22, 24-26 and 29-30, is withdrawn.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-15, 17-22, 24-26 and 29-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al. (5,742,905).

Pepe et al. taught the invention as claimed including a mechanism (44) designed to access and store information regarding context information (col. 23, lines 50-62) and notification parameters (col. 35, line 43-51), the notification parameters including at least one of a relevance parameter, a novelty parameter, and a fidelity parameter, at least one notification source, each source designed to generate notifications; at least one notification sink, each sink designed to receive the notifications (col. 5, lines 28-53) and each notification sink has parameters associated with it representing at least one of a device class of the notification sink indicating a type of device that the notification sink is (col. 5, line 62- col. 6, line 19), and a notification manager designed to convey the notifications generated by the at least one notification source to the at least one notification sink (col. 5, line 54- col. 6, line 19) based on the information stored in the mechanism (col. 23, lines 50-62 and col. 35, line 43-51).

As to claim 2, Pepe et al. taught the context information and notification parameters are for an entity (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 3, Pepe et al. taught the entity comprises one of a user, an agent, a process, a server, a computer, a machine, a company, an organization, a business, a computer program, a service, and a thread (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 4, Pepe et al. taught the notifications generated by the at least one notification source are intended for an entity (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 5, Pepe et al. taught the notifications received by the at least one sink are to be provided to an entity (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 6, Pepe et al. taught the mechanism comprises a notification parameters store storing default notification preferences for an entity as a profile (col. 20, line 60 – col. 21, line 15, col. 34-42).

As to claim 7, Pepe et al. taught the mechanism comprises a user mechanism (col. 23, line 50- col. 24, line 13).

As to claim 8, Pepe et al. taught the user mechanism comprises a user context mechanism designed to determine a current context of the user, based on at least one context source (col. 23, line 50- col. 24, line 13).

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As to claim 9, Pepe et al. taught the at least one context source comprises current time and day (col. 23, line 50- col. 24, line 13).

As to claim 10, Pepe et al. taught the context mechanism is more specifically designed to determine the current context based on the at least one context source by utilizing; a profile (col. col. 6, lines 20-42).

As to claim 11, Pepe et al. taught the notifications generated by the at least one notification source comprises one or more of: e-mail, (col. 23, line 50-62).

As to claim 12, Pepe et al. taught each notification source has parameters associated with it representing at least one of: an importance of a current notification generated by the notification source indicating value of information contained in the current notification (col. 20, lines 42-53, col. 28, line 41-46).

As to claim 13, Pepe et al. taught each notification source has parameters associated with it representing at least one of a message class of a current notification generated by the notification source indicating a type of communication of the current notification; a relevance of the current notification (col. 20, lines 42-53; col. 28, line 41-28).

As to claim 14, Pepe et al. taught the at least one notification source comprises at least one of a pull-type notification source; and a push-type notification source (48).

As to claim 15, Pepe et al. taught the at least one notification sink comprises one or more of a desktop, a cellular phone, a pager, and an automotive computerized device (32,34,26,22).

As to claim 17, Pepe et al. taught the notification manager is more specifically designed to determine which of the notifications from the at least one notification source should be conveyed to which of the at least one notification sink, based on the information stored by the mechanism (col. 35, lines 20-51; col. 23, line 50-62).

Claims 28-30 fail to teach or define above or beyond claims 1-17 and are rejected for the reasons set forth above.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al. (5,742,905) as applied to claims 1, 6, 12, 14, and 13 above, and further in view of Macskassy et al. (EmailValet: Learning Email Preferences for Wireless Platforms).

8. As to claim 18, Pepe et al. did not expressly teach the notification manager is further designed to perform a decision-theoretic analysis of the notifications from the at least one notification source based on the information stored by the mechanism to determine which of the notifications from the at least one notification source should be conveyed to which of the at least one notification sink, such that the notification manager is designed to infer

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encountered uncertainties. Macskassy et al. taught this, element (section 2.2 and 2.3), it would have been obvious to combine these references in view of the express motivation by supplied by Macskassy et al. (section 1).

9. Claim 19 is rejected for similar rationale as claim 1 and 18.

10. The following claims related to the rejection of the dependent claims of claim 1 as follows

As to claim 20, see the rejection of claim 6.

As to claim 21, see the rejection of claim 12.

As to claim 22, see the rejection of claim 14.

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-15, 17-22 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al. (5,742,905) in view of Horvitz et al. "Attention-Sensitive Alerting in Computing Systems".

Pepe et al. taught the invention as claimed including a mechanism (44) designed to access and store information regarding context information (col. 23, lines 50-62) and notification parameters (col. 35, line 43-51), the notification parameters including at least one of a relevance parameter, a novelty parameter, and a fidelity parameter, at least one notification source, each source designed to generate notifications; at least one notification sink, each sink designed to receive the notifications (col. 5, lines 28-53); and a notification manager designed to convey the notifications generated by the at least one notification source to the at least one notification sink (col. 5, line 54- col. 6, line 19) based on the information stored in the mechanism (col. 23, lines 50-62 and col. 35, line 43-51).

As to claim 2, Pepe et al. taught the context information and notification parameters are for an entity (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 3, Pepe et al. taught the entity comprises one of a user, an agent, a process, a server, a computer, a machine, a company, an organization, a business, a computer program, a service, and a thread (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 4, Pepe et al. taught the notifications generated by the at least one notification source are intended for an entity (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 5, Pepe et al. taught the notifications received by the at least one sink are to be provided to an entity (col. 5, lines 41-54; col. 6, lines 34-42).

As to claim 6, Pepe et al. taught the mechanism comprises a notification parameters store storing default notification preferences for an entity as a profile (col. 20, line 60 – col. 21, line 15, col. 34-42).

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As to claim 7, Pepe et al. taught the mechanism comprises a user mechanism (col. 23, line 50- col. 24, line 13).

As to claim 8, Pepe et al. taught the user mechanism comprises a user context mechanism designed to determine a current context of the user, based on at least one context source (col. 23, line 50- col. 24, line 13).

As to claim 9, Pepe et al. taught the at least one context source comprises current time and day (col. 23, line 50- col. 24, line 13).

As to claim 10, Pepe et al. taught the context mechanism is more specifically designed to determine the current context based on the at least one context source by utilizing; a profile (col. col. 6, lines 20-42).

As to claim 11, Pepe et al. taught the notifications generated by the at least one notification source comprises one or more of: e-mail, (col. 23, line 50-62).

As to claim 12, Pepe et al. taught each notification source has parameters associated with it representing at least one of: an importance of a current notification generated by the notification source indicating value of information contained in the current notification (col. 20, lines 42-53, col. 28, line 41-46).

As to claim 13, Pepe et al. taught each notification source has parameters associated with it representing at least one of a message class of a current notification generated by the notification source indicating a type of communication of the current notification; a relevance of the current notification (col. 20, lines 42-53; col. 28, line 41-28).

As to claim 14, Pepe et al. taught the at least one notification source comprises at least one of a pull-type notification source; and a push-type notification source (48).

As to claim 15, Pepe et al. taught the at least one notification sink comprises one or more of a desktop, a cellular phone, a pager, and an automotive computerized device (32,34,26,22).

As to claim 17, Pepe et al. taught the notification manager is more specifically designed to determine which of the notifications from the at least one notification source should be conveyed to which of the at least one notification sink, based on the information stored by the mechanism (col. 35, lines 20-51; col. 23, line 50-62).

Claims 28-30 fail to teach or define above or beyond claims 1-15 and 17 and are rejected for the reasons set forth above.

13. Pepe et al. did not expressly teach cost of disruption as set forth in claim 1, this was taught by Horvitz et al. (pages 3-7)), it would have been obvious to combine these references in view of the express motivation by supplied by Horvitz et al. (page 1-2).

14. As to claim 18, Pepe et al. did not expressly teach the notification manager is further designed to perform a decision-theoretic analysis of the notifications from the at least one notification source based on the information stored by the mechanism to determine which of the notifications from the at least one notification source should be conveyed to which of the at least one notification sink, such that the notification manager is designed to infer encountered uncertainties Horvitz et al. taught this, element (page 5-7), it would have been obvious to combine these references in view of the express motivation by supplied by Horvitz et al. (page 1-2).

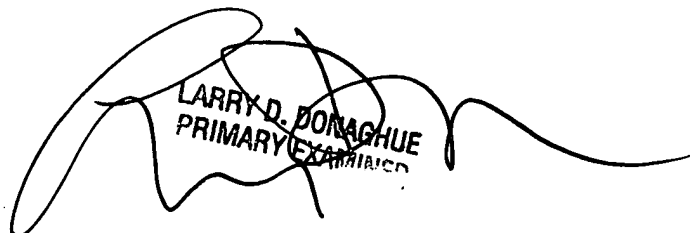
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15. Claim 19 is rejected for similar rationale as claim 1 and 18.
16. The following claims related to the rejection of the dependent claims of claim 1 as follows
As to claim 20, see the rejection of claim 6.
As to claim 21, see the rejection of claim 12.
As to claim 22, see the rejection of claim 14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D. Donaghue whose telephone number is 571-272-3962. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LARRY D. DONAGHUE
PRIMARY EXAMINER